

**CHAPTER NO. 789**

**SENATE BILL NO. 2355**

**By Fowler**

**Substituted for: House Bill No. 2652**

**By Brenda Turner**

AN ACT To amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4, relative to fees for persons convicted of driving under the influence or driving while impaired.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:


SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by adding a new, appropriately designated subsection as follows:

( ) Notwithstanding any other law to the contrary, in any county having a population of not less than three hundred seven thousand eight hundred (307,800) nor more than three hundred seven thousand nine hundred (307,900), according to the 2000 federal census or any subsequent federal census, upon conviction for a violation of §55-10-401, §55-10-415, §55-10-418 or §55-50-408, the court shall assess against the defendant a blood alcohol concentration (BAT) test fee to be established by the county legislative body of any county to which this subsection applies in an amount not to exceed fifty dollars (\$50.00) for obtaining a blood sample for the purpose of performing a test to determine the alcoholic or drug content of the defendant's blood pursuant to §55-10-406 that are incurred by the governmental entity served by the law enforcement agency arresting the defendant. The fee authorized by this subpart shall only be assessed if a blood sample is actually taken from a defendant convicted of any such offenses and the test is actually performed on such sample.

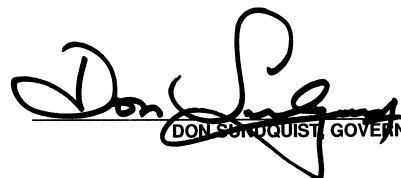
SECTION 2. This act shall take effect July 1, 2002, the public welfare requiring it.

**PASSED: May 22, 2002**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 29<sup>th</sup> day of May 2002**

  
DON SUNDQUIST, GOVERNOR